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MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: ARF-Admin Review Final PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 70 FR 18374 FR CITE DATE: 04/11/2005

REFERENCE MESSAGE #
(s): 5189205, 6243201

CASE #(s): C-423-809

EFFECTIVE DATE: 04/24/2009 COURT CASE #: 2008-1213

PERIOD OF REVIEW: 09/04/1998 TO 12/31/1999

PERIOD COVERED: 04/11/2005 TO 12/11/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CASH DEPOSIT INSTRUCTIONS FOR STAINLESS STEEL PLATE IN COILS FROM BELGIUM PRODUCED BY UGINE & ALZ BELGIUM, N.V., (C-423-809) AS RESULT OF FINAL MANDATE BY THE COURT (CT. NO. 2008-1213).

RE: CASH DEPOSIT INSTRUCTIONS FOR STAINLESS STEEL PLATE IN COILS FROM BELGIUM PRODUCED BY UGINE & ALZ BELGIUM, N.V. FOR THE PERIOD 09/04/1998 THROUGH 12/31/1999 BASED ON COURT MANDATE (C-423-809), CT. 2008-1213.

1. ON 12/18/2007, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL JUDGMENT AND ORDER IN THE CASE OF UGINE & ALZ BELGIUM, N.V. V. UNITED STATES AND ALLEGHENY LUDLUM CORPORATION, AK STEEL CORPORATION, UNITED AUTO WORKERS LOCAL 3303, UNITED STEELWORKERS OF AMERICA, AFL-CIO/CLC, AND ZANESVILLE ARMCO INDEPENDENT ORGANIZATION (COURT NO. 05-00444). AS A RESULT OF THIS DECISION, THE INJUNCTIONS TO WHICH MESSAGE 6243201 REFER DISSOLVED ON 04/24/2009.

2. ON 01/07/2009, THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT (FEDERAL CIRCUIT) IN CASE NUMBER 2008-1213 AFFIRMED THE FINAL JUDGMENT OF THE CIT. THE FEDERAL CIRCUIT ISSUED ITS FINAL MANDATE IN CASE NUMBER 2008-1213 ON 04/24/2009.

3. THEREFORE, U.S. CUSTOMS AND BORDER PROTECTION (CBP) MAY NOW IMPLEMENT THE INSTRUCTIONS IN MESSAGE NUMBER 5189205 DATED 07/08/2005. SPECIFICALLY CBP IS DIRECTED TO CONTINUE TO COLLECT CASH DEPOSITS AS DIRECTED IN PARAGRAPH 3 IN MESSAGE NUMBER 5189205, WHICH STATES AS FOLLOWS:

ACCORDINGLY, FOR SHIPMENTS OF STAINLESS STEEL PLATE IN COILS FROM BELGIUM, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/11/2005, YOU SHALL COLLECT A CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES AT THE FOLLOWING PERCENTAGES OF THE ENTERED VALUE:

ALZ N.V. C-423-809-001 0.97 PERCENT

ALL OTHER COMPANIES C-423-809-000 2.00 PERCENT

PLEASE NOTE THAT MESSAGE 5189205 APPLIES ON TO ENTRIES WHICH WERE ENTERED ON OR AFTER 04/11/2005 AND ON OR BEFORE 12/11/2008.

EFFECTIVE 05/01/2002, SEE PARAGRAPH THREE IN MESSAGE NUMBER 5182203 DATED 07/01/2005, ENTRIES OF SSPC HOT ROLLED IN GERMANY AND NOT FURTHER COLD ROLLED IN BELGIUM ARE NOT SUBJECT TO THE SUSPENSION OF LIQUIDATION AND DO NOT REQUIRE CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES.

4. CONSISTENT WITH THE CURRENT INSTRUCTIONS FORMAT, THE CASH DEPOSIT RATES INDICATED IN PARAGRAPH 3 ABOVE ARE SHOWN IN THE COMPANY UPLOAD TABLE BELOW.

5. FOR SHIPMENTS OF STAINLESS STEEL PLATE IN COILS FROM BELGIUM, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/12/2008 AND ON OR BEFORE 11/08/2009, THE CASH DEPOSIT INSTRUCTIONS CONTAINED IN MESSAGE 9007212 DATED 01/07/2009 REMAIN IN EFFECT. FOR SHIPMENTS OF STAINLESS STEEL PLATE IN COILS FROM BELGIUM, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/2009, THE CASH DEPOSIT INSTRUCTIONS CONTAINED IN MESSAGE 9321002 DATED 01/17/2009 REMAIN IN EFFECT.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:DL).

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
C-423-809-000	0.97	E		All Others
C-423-809-000	0.97	M		All Others
C-423-809-001	2	E		Ugine &ALZ Belgium, NV
C-423-809-001	2	M		Ugine &ALZ Belgium, NV